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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

9 FREDERICK BURGNER,
10 Plaintiff,

CV-07-5160-JF

11 V.

ORDER OF DISMISSAL

12 UNION PACIFIC CORPORATION,
13 Defendant.
14 _____/

15 The parties have advised the Court that they have agreed to a settlement of this case.

16 IT IS HEREBY ORDERED that the case be dismissed with prejudice. However, if any
17 party notifies the Court within ninety days of the date of this order that the agreed consideration
18 for said settlement has not been delivered, this order will be vacated and the case will be restored
19 to the calendar to be set for trial.

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22 Date: May 6, 2009

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24 JEREMY FOGEL
United States District Judge